

Title 15 Chapter 3

Historic Preservation

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Sec. 15-3-1 Declaration of Public Policy and Property.

The Village Board hereby declares as a matter of public policy that the protection, preservation, perpetuation and use of sites of special character or special architectural, archaeological or historic interest or value is a public necessity and is promoted in the interest of the people. The purpose of this Section is to:

- (a) Safeguard the cultural resources of the Village of Winneconne by preserving historic properties and districts which reflect elements of the Village's cultural, social, economic, political, visual or architectural history.
- (b) Protect and enhance the Village's attractions to visitors and residents, and serve as a support and stimulus to business, industry and tourism.
- (c) Foster civic pride in the beauty and notable achievements of the past.
- (d) Stabilize and improve property values and enhance the visual and aesthetic character, diversity and interest of the Village.
- (e) Promote the use and preservation of historic properties and districts for the education and general welfare of the people of the Village with respect to the cultural, civic, architectural and historic heritage of the Village.

Sec. 15-3-2 Definitions.

For the purpose of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

- (a) Committee. The Historic Preservation Committee as described in Sec. 15-3-3.
- (b) Cultural Resources. Any work of man or nature that is primarily of interest for its historical, archeological, natural scientific or aesthetic value, including, but not limited to, historic houses and other structures such as barns, schools, kilns, archeological sites, American Indian burial grounds and earthworks, buildings identified as the work of an architect, developer or master builder whose work has influenced the Village, and structures noteworthy because of their design, detail, materials or craftsmanship, or association with historic persons or events.

(c) Historic District. An area of the Village which contains more than one designated sites, structures or landmarks. The historic districts boundaries shall be shown on the Village zoning map.

(d) Historic Property. Any area, place, structure, land or other object which has been duly designated by the Village Board; this includes prehistoric aboriginal sites; a natural or man-made feature of local or regional interest which is associated with a particular historic or prehistoric event; man-made building which has special character, historic interest or value as part of the development, heritage or cultural characteristics of the Village.

Sec. 15-3-3 Powers and Duties of Historic Preservation Committee

(a) Composition.

(1) The Village Board shall establish a five (5) member Historic Preservation Committee (one village trustee and four citizens) vested with the authority and responsibility to propose action to safeguard and preserve the historic heritage of the Village. In this role, the Historic Preservation Committee will act in an advisory capacity to the Village Board in all matters concerning properties which are designated as historical sites, structures, landmarks and districts within the Village.

(2) Members of the Committee shall be chosen and appointed with consideration of one (1) or more of the following qualities:

- a. Active interest in the historic preservation of the Village of Winneconne.
- b. Knowledge of the history of the Village and its environs.
- c. Expertise and knowledge concerning architecture and archeology.
- d. Ability to utilize authoritative resources concerning historic preservation.

(3) The term of office for each committee member will be two (2) years with the exception of the Village trustee whose term will be one (1) year.

(4) The Committee shall elect a chairperson to serve a one (1) year term. This chairperson may be reelected or a new chairperson may be elected annually.

(5) The Committee shall hold regular meetings at least six (6) times annually. Additional meetings shall be held as needed to perform the duties of the Committee. A quorum shall consist of three (3) members.

(6) The Village Board and Building Inspector shall be fully informed of the decisions and recommendations of the Committee in order to distinguish and expedite actions to promote and safeguard the Villages program of historic preservation.

(b) Register of Historic Properties and Districts.

The Committee shall maintain a register of historic properties and districts.

(c) **Subcommittees.** The Committee shall have the power to appoint subcommittees from the community and enlist the aid of area historical societies and other organizations for assistance in promoting the policy of the Village in the interest of historic preservation.

(e) **Funding.** As it deems advisable, the Committee is empowered to solicit and receive funds for the purpose of preservation of historic properties of the Village. Funds for such purposes shall be placed in the general fund restricted for use by the Committee.

Sec. 15-3-4 Criteria for Determining Eligibility.

In determining the eligibility of any historic property or district within the Village as a historic sight, the Committee shall consider the following factors with respect to eligibility:

- (a) Its character, interest or value as a part of the history or cultural heritage of the Village, State or United States.
- (b) Its association with the persons or events which have made a significant contribution to the cultural heritage.
- (c) Its potential to yield information important in history or prehistory.
- (d) Its embodiment of distinguishing characteristics of an architectural type or style, or element of design, detail, materials or craftsmanship.
- (e) Its unique location or singular physical appearance representing an established and familiar feature of a neighborhood or community of the Village.

Sec. 15-3-5 Procedures.

(a) Designation of Historic Structures and Historic Sites.

- (1) The Committee shall provide full information to the property owners of the civic advantages and responsibilities involved in accepting such designation. Approval of the property owners shall be obtained a prerequisite to official designation.
- (2) The Committee may, after notice and public hearing, designate historic properties or rescind such designation or recommendation after application of the criteria in sec. 15-3-4 above. At least 10 days prior to such hearing, the Committee shall notify the owners of record, as listed in the office of the Village Clerk, who are owners of property in whole or in part abutting the property proposed
- (3) The Committee shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses and shall have the power to subpoena such witnesses and records as it deems necessary. The Committee may conduct an independent investigation into the proposed designation or rescission. Within 10 days after the close of the public hearing, the Committee may designate the property as either a historic property or rescind the designation. After the designation or rescission has been made, notification shall be sent to the property owner or owners. Notification shall also be given to the Village Clerk and the Building Inspector.
- (4) The costs of the proceedings, including publication, witness and recording fees shall be paid by the property owner if he/she is requesting action by the Committee. If the Committee is requesting action the costs associated will be paid by the Village.

(b) Recognition of Historic Properties.

(1) At such time as an historic property or district has been properly designated, the Committee, in cooperation with the property owner, may cause to be prepared and erected on such property a suitable plaque declaring that such property is an historic structure, site or district. The property owner shall pay for the plaque if the historic designation was requested by the owner; the Village will pay for the plaque in all other instances.

Sec. 15-3-6 External Alteration of Designated Property.

The owner of designated property shall report any planned external alteration, including demolition, to the respective property to the Committee for review and recommendation. The Committee will base its recommendation according to the guidelines set forth in The Secretary of the Interior's Standards for Rehabilitation.

Sec. 15-3-7 Review of Permits.

(a) Notification of every application for building, zoning or demolition permits for properties on the Village historic register shall be given by the Village Building Inspector or his/her designee to the Committee for their review. The Committee shall make a recommendation to the Village Board concerning the proposed permit.

(b) Considering that time is of the essence, the Committee shall act promptly in its consideration of an application for building, zoning or demolition permits in relation to designated properties. The review and recommendation shall be forwarded to the Village Board within thirty (30) days. The Village Board will vote to decide if the permit will be issued or denied at their next regularly scheduled meeting.

(c) The Committee may also recommend to the Village Board variations which are comparable to the proposed changes if the Village Board determines that such variations are necessary to alleviate financial hardship placed upon the owner of the property. The Historic Preservation Committee will be allowed another thirty (30) days to determine such variations. The Committee's recommendation shall be considered by the Village Board before a vote is taken to determine if a building, zoning or demolition permit will be issued.

(d) The Village Board, in considering the recommendations of the Committee, shall determine if the work to be performed adversely affects the designated historic property. In determining whether or not there is such an adverse affect, the Village

Board shall consider the following factors:

(1) Whether the work will significantly alter the appearance of the building or structure so as to remove features which distinguish the historic property or district as a significant cultural resource.

(2) Whether the use of the property will destroy, disturb or endanger a known or suspected archeological feature.

(e) Nothing contained in this Section shall prohibit the construction, alteration or demolition of any improvement on a designated historic property or in a historic district pursuant to any court judgment to remedy conditions determined to be dangerous to life, health or property. In such case, no approval from the Committee shall be required.

Sec. 15-3-8 Designation of Repository for Documents.

The Village of Winneconne Municipal Building is designated as the repository for all studies, surveys, reports, programs and designations of all historic properties and districts.